IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.70475-M of 2006

DATE OF DECISION: FEBRUARY 20, 2007

Sukhwinder Pal and another

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.D.S.Randhawa, Advocate,
for Mr.Vikas Bahl, Advocate,
for the petitioners.

Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No. 313 dated 14.10.2006 registered under Sections 323/324/452/148/149/326 IPC at Police Station Sadar, Hoshiarpur, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties.

Counsel for the petitioners contends that though the occurrence had taken place on 12.9.2006, yet the statement of Aruna Bhatti, which formed the basis of the FIR, was recorded 32 days thereafter i.e. on 14.10.2006. Moreover, the injury attributed to petitioner No.2 though declared to be grievous was on a non vital part, i.e., on the left wrist of the injured.

Counsel for the petitioners contends that in terms of the interim order dated November 13, 2006, the petitioners have joined the investigation. This fact has not been disputed by the State counsel and he further states that during investigation the allegations were found to be false and a cancellation report was prepared by the police.

In view of the above, the interim order dated November 13,

2006 is made absolute on the same terms and conditions.

Disposed of accordingly.

February 20, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE